

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

---

UNITED STATES OF AMERICA	)	CRIMINAL CASE NO. 04-10031-WGY
	)	
v.	)	
	)	
JAMES REID	)	
	)	

---

GOVERNMENT'S MOTION FOR REVOCATION  
OF CONDITIONS OF RELEASE AND MOTION FOR DETENTION

The Government moves, pursuant to Title 18, United States Code, Section 3148(a) and (b), for an Order of this Court revoking conditions of release set by this Court on May 6, 2004.

The Government further moves, pursuant to Title 18, United States Code, Section 3148(b) and Section 3142(f)(2) and (g) for an Order that the defendant be detained pending trial or other disposition of the present prosecution.

The Government moves this Court in the alternative to commence prosecution of the defendant for contempt pursuant to Title 18, United States Code, Section 401.

The Government submits the following for this Court's consideration:

1. The defendant is pending trial for federal offenses relating to his construction and use of entirely bogus computer software sales contracts in the amount of \$4.3 million dollars to obtain commissions of \$434,000, all in addition to significant salaries.

2. The defendant has significant prior criminal convictions in Canada for precisely the same type of conduct alleged in the pending Indictment. *See*, 18 United States Code, Section 3142(g)(3)(A).
3. The defendant was released on conditions of release which included, among others, that the defendant "not commit a Federal, State, or local crime during the period of release." *See*, 18 U.S.C., Section 3142(c)((A)).
4. The defendant has committed new federal offenses relating to his construction and use of entirely bogus computer software sales contracts in the amount of \$8.275 million dollars to again obtain hundreds of thousands of dollars of commissions, all in addition to significant salaries.
5. The new offenses provide significant enhancement to the defendant's sentence in the event of conviction on the pending Indictment, both on the basis of additional relevant conduct in excess of \$800,000 loss to the victim of the new offenses and for commission of an offense while on release pending trial. *See* United States Sentencing Guidelines, Sections 2B1.1 and 2J1.7.
6. The defendant faces additional prosecution for the new offenses in Canada, where he has prior criminal convictions.

The defendant poses a risk of flight and the defendant is unlikely to abide by any condition or combination of conditions of release. See, 18 United States Code, Section 3148(b)(1) and (2). See also, 18 United States Code, Sections 3142(e),(f), (f)(2)(A), g(3)(B), g(4).

MICHAEL J. SULLIVAN  
UNITED STATES ATTORNEY

By: /s/ Victor A. Wild  
VICTOR A. WILD  
United States Courthouse  
Suite 9200  
One Courthouse Way  
Boston, MA 02210  
(617) 748-3100  
Mass. Bar No. 543148

CERTIFICATE OF SERVICE

This is to certify that I have served a copy of the above Syrie Fried, Esq., of the Federal Defender Office, counsel for the defendant

/s/ Victor A. Wild  
VICTOR A. WILD  
ASSISTANT U.S. ATTORNEY